

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAN 23 2006

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DWAYNE LONG,)
Petitioner,) Case No. 7:05CV00533
)
v.) FINAL ORDER
)
WARDEN, NCC,) By: Hon. Glen E. Conrad
Respondent.) United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The respondent's motion to dismiss shall be and hereby is **GRANTED**;
2. The petitioner's motion for an evidentiary hearing shall be and hereby is **DENIED**; and
3. The petition shall be and hereby is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and all counsel of record.

ENTER: This 23rd day of January, 2006.

Glen E. Conrad

United States District Judge